

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SARAH PALIN, an individual,

Plaintiff,

– against –

THE NEW YORK TIMES COMPANY,
a New York corporation, and JAMES
BENNET, an individual,

Defendant.

No. 17 Civ. 4853

Hon. Jed S. Rakoff

ECF Case

DECLARATION OF SHANE B. VOGT

SHANE B. VOGT, pursuant to 28 U.S.C. § 1746, hereby declares and says:

1. I am an attorney licensed to practice law in the State of Florida, specially admitted to practice in this Court [Doc. 13] and a partner in the law firm of Bajo Cuva Cohen Turkel, P.A., counsel of record for plaintiff in the above-captioned matter, Sarah Palin.

2. I submit this Declaration in support of Plaintiff's Response to Defendants' Local Rule 56.1 Statement of Material Facts [Doc. 97] and Counterstatement of Material Facts in Opposition to Defendants' Motion for Summary Judgment.

3. Attached hereto as **Exhibit 1** is a true and authentic copy of the deposition of Andrew Sullivan dated May 11, 2020.

4. Attached hereto as **Exhibit 2** is a true and authentic copy of the deposition of Eileen Lepping dated May 5, 2020.

5. Attached hereto as **Exhibit 3** is a true and authentic copy of the deposition of Elizabeth Williamson dated May 18 and May 19, 2020.

6. Attached hereto as **Exhibit 4** is a true and authentic copy of the deposition of James Bennet dated May 26 and May 27, 2020.

7. Attached hereto as **Exhibit 5** is a true and authentic copy of the deposition of Justin Stile dated May 29, 2020.

8. Attached hereto as **Exhibit 6** is a true and authentic copy of the deposition of Linda Cohn dated May 7, 2020.

9. Attached hereto as **Exhibit 7** is a true and authentic copy of the deposition of Phoebe Lett dated May 4, 2020.

10. Attached hereto as **Exhibit 8** is a true and authentic copy of the deposition of Ross Douthat dated May 8, 2020.

11. Attached hereto as **Exhibit 9** is a true and authentic copy of excerpts from the deposition of Sarah Palin dated May 20 and May 21, 2020.

12. Attached hereto as **Exhibit 10** is a true and authentic copy of excerpts from the deposition of Tim Crawford dated May 12, 2020.

13. Attached hereto as **Exhibit 11** is a true and authentic copy of Plaintiff's Deposition Exhibit 1, "*Talk to The Times: Editorial Page Editor Andrew Rosenthal*," an article published by The New York Times on April 12, 2009, produced in discovery by Plaintiff bearing Bates stamps PALIN 3601-3622.

14. Attached hereto as **Exhibit 12** is a true and authentic copy of Plaintiff's Deposition Exhibit 2, *Ethical Journalism—A Handbook of Values and Practices for the News & Editorial Departments* [2004], produced in discovery by Defendants bearing Bates stamps NYTIMES 309-344.

15. Attached hereto as **Exhibit 13** is a true and authentic copy of Plaintiff's Deposition Exhibit 3, *NYT Guidelines on Integrity*, produced in discovery by Defendants bearing Bates stamps NYTIMES 345-351.

16. Attached hereto as **Exhibit 14** is a true and authentic copy of Plaintiff's Deposition Exhibit 6, "*The NY Times promised to fact check their new climate denier columnist – they lied*," an article published by Think Progress on April 29, 2017, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4615-4623.

17. Attached hereto as **Exhibit 15** is a true and authentic copy of Plaintiff's Deposition Exhibit 7, "*Systemic Change Needed After Faulty Times Article*," an article published by The New York Times on December 18, 2015, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4063-4067.

18. Attached hereto as **Exhibit 16** is a true and authentic copy of Plaintiff's Deposition Exhibit 8, "*Time, the Enemy*," an article published by The New York Times on January 15, 2011, and produced in discovery by Plaintiff bearing Bates stamps PALIN 3659-3664.

19. Attached hereto as **Exhibit 17** is a true and authentic copy of Plaintiff's Deposition Exhibit 10, "*Playing All the Angles*," an article published by The New York Times on October 16, 2010.

20. Attached hereto as **Exhibit 18** is a true and authentic copy of Plaintiff's Deposition Exhibit 11, "*Sarah Palin, Rage Whisperer*," an article published by The New York Times on January 25, 2016, and produced in discovery by Plaintiff bearing Bates stamps PALIN 3556-3560.

21. Attached hereto as **Exhibit 19** is a true and authentic copy of Plaintiff's Deposition Exhibit 12, "*She Who Must Not Be Named*," an article published by The New York Times on December 3, 2010, and produced in discovery by Plaintiff bearing Bates stamps PALIN 3562-3564.

22. Attached hereto as **Exhibit 20** is a true and authentic copy of Plaintiff's Deposition Exhibit 13, "*Staff Anxiety*" Email between Bennet & Stephens [2/7/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 707-708.

23. Attached hereto as **Exhibit 21** is a true and authentic copy of Plaintiff's Deposition Exhibit 15, "*Are we writing about the congressional shooting*" Email String between Williamson/Semple/Fox [6/14/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1041.

24. Attached hereto as **Exhibit 22** is a true and authentic copy of Plaintiff's Deposition Exhibit 16, "*Are we writing on congressional shooting*" Email String between Williamson/Semple/Fox/Cohn/Lepping/Lett [6/14/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1068-1069.

25. Attached hereto as **Exhibit 23** is a true and authentic copy of Plaintiff's Deposition Exhibit 17, "*Are we writing on the congressional shooting*" Email String between Semple/Cohn/Bennet/Lepping/Lett/Williamson/Fox [6/14/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1070-1071.

26. Attached hereto as **Exhibit 24** is a true and authentic copy of "*STATEMENT: Gabby Giffords on Today's Attack*" Email from responsiblesolutions.org [6/14/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1076-1077.

27. Attached hereto as **Exhibit 25** is a true and authentic copy of Plaintiff's Deposition Exhibit 20, "*POSSIBLE shooter's POSSIBLE social media pages pro-Bernie, anti-Trump*" Email String between Bennet/Williamson/Semple/Fox/Cohn [6/14/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1078.

28. Attached hereto as **Exhibit 26** is a true and authentic copy of Plaintiff's Deposition Exhibit 22, "*Gun Control past pieces from Bob*" Email String between Lett/Williamson/Semple/Cohn [6/14/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1080.

29. Attached hereto as **Exhibit 27** is a true and authentic copy of Plaintiff's Deposition Exhibit 25, "*Gun Control past pieces from Bob*" Email String between Lett/Williamson [6/14/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1156.

30. Attached hereto as **Exhibit 28** is a true and authentic copy of Plaintiff's Deposition Exhibit 27, "*Gun Control past pieces from Bob*" Email String between Lett/Bennet [6/14/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1159-1160.

31. Attached hereto as **Exhibit 29** is a true and authentic copy of Plaintiff's Deposition Exhibit 29, "*Gun Control past pieces from Bob*" Email String between Williamson/Bennet [6/14/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1164-1165.

32. Attached hereto as **Exhibit 30** is a true and authentic copy of Plaintiff's Deposition Exhibit 30, Jay Brown 8/17/2017 Email w/attached NYT Editorials Bennet referenced in testimony.

33. Attached hereto as **Exhibit 31** is a true and authentic copy of Plaintiff's Deposition Exhibit 33, *America's Lethal Politics—Williamson Draft*, and produced in discovery by Defendants bearing Bates stamps PALIN 234-235.

34. Attached hereto as **Exhibit 32** is a true and authentic copy of Plaintiff's Deposition Exhibit 34, "*Sarah Palin's 'Crosshairs' Ad Dominates Giffords Debate*," an article published by ABC News on January 9, 2011, and produced in discovery by Plaintiff bearing Bates stamps PALIN 1-3.

35. Attached hereto as **Exhibit 33** is a true and authentic copy of Plaintiff's Deposition Exhibit 35, "*America's Lethal Politics*," an article published by The New York Times [6/14/2017 *Original Version--Online*] , and produced in discovery by Plaintiff bearing Bates stamps PALIN 2738-2742.

36. Attached hereto as **Exhibit 34** is a true and authentic copy of *NYT Opinion* Tweet of *America's Lethal Politics* [6/14/2017] , and produced in discovery by Plaintiff bearing Bates stamps PALIN 3824.

37. Attached hereto as **Exhibit 35** is a true and authentic copy of *NYT (Main Twitter Account)* Tweet of *America's Lethal Politics* [6/14/2017].

38. Attached hereto as **Exhibit 36** is a true and authentic copy of "*America's Lethal Politics*," an article published by The New York Times [6/14/2017 *Original Version--Print*], and produced in discovery by Defendants bearing Bates label NYTIMES 2911.

39. Attached hereto as **Exhibit 37** is a true and authentic copy of Plaintiff's Deposition Exhibit 37, "*Giffords*" Email String between Lepping/Bennet/Williamson [6/15/2017], and produced in discovery by Defendants bearing Bates label NYTIMES 1803.

40. Attached hereto as **Exhibit 38** is a true and authentic copy of Plaintiff's Deposition Exhibit 38, "*NYTimes: The Trumpiest Roman of Them All*" Email String between Bennet/Douthat [6/14/2017-6/15/2017], and produced in discovery by Defendants bearing Bates label NYTIMES 1716-1717.

41. Attached hereto as **Exhibit 39** is a true and authentic copy of Plaintiff's Deposition Exhibit 38(A), Jonathan Chait *Tweet* dated June 15, 2017.

42. Attached hereto as **Exhibit 40** is a true and authentic copy of Plaintiff's Deposition Exhibit 38(B), Chris Hayes *Tweet* dated June 15, 2017.

43. Attached hereto as **Exhibit 41** is a true and authentic copy of "*NYTimes: The Trumpiest Roman of Them All*" Email String between Bennet/Douthat [6/14/2017-6/15/2017], and produced in discovery by Defendants bearing Bates label NYTIMES 1736-1737.

44. Attached hereto as **Exhibit 42** is a true and authentic copy of "*NYT Editorial correction*" Email String between Rhoades Ha/Rubin/Alahydoian/Ingber [6/15/2017], and produced in discovery by Defendants bearing Bates label NYTIMES 1995.

45. Attached hereto as **Exhibit 43** is a true and authentic copy of Plaintiff's Deposition Exhibit 50, "*America's Lethal Politics—First Correction,*" an article published by The New York Times on June 15, 2017, and produced in discovery by Plaintiff bearing Bates label PALIN 2728-2732.

46. Attached hereto as **Exhibit 44** is a true and authentic copy of Plaintiff's Deposition Exhibit 51, "*America's Lethal Politics—Second Correction,*" an article published by The New York Times on June 16, 2017, and produced in discovery by Plaintiff bearing Bates label PALIN 2733-2737.

47. Attached hereto as **Exhibit 45** is a true and authentic copy of Plaintiff's Deposition Exhibit 52, *NYTOpinion Tweet*—"We got an important fact wrong" dated June 15, 2017, and produced in discovery by Plaintiff bearing Bates label PALIN 3827-3828.

48. Attached hereto as **Exhibit 46** is a true and authentic copy of Plaintiff's Deposition Exhibit 53, *NYTOpinion Full Correction Tweet (3 parts)* dated June 15, 2017, and produced in discovery by Plaintiff bearing Bates label PALIN 3829-3833.

49. Attached hereto as **Exhibit 47** is a true and authentic copy of Plaintiff's Deposition Exhibit 55, Sarah Palin Tweets regarding Editorial to "@nytopinion" dated June 15, 2017, and produced in discovery by Plaintiff bearing Bates label PALIN 4275-4282.

50. Attached hereto as **Exhibit 48** is a true and authentic copy of Sarah Palin's "With this sickening NYT's editorial" Tweet [6/15/2017], and produced in discovery by Plaintiff bearing Bates label PALIN 4283-4284.

51. Attached hereto as **Exhibit 49** is a true and authentic copy of Plaintiff's Deposition Exhibit 58, *NYT Opinion Section—Print Edition—Correction of America's Lethal Politics* [6/16/2017], and produced in discovery by Defendants bearing Bates label NYTIMES 2915.

52. Attached hereto as **Exhibit 50** is a true and authentic copy of Plaintiff's Deposition Exhibit 60, "*The Tucson Witch Hunt*," an article published by The New York Times on January 14, 2011, and produced in discovery by Plaintiff bearing Bates label PALIN 3655-3658.

53. Attached hereto as **Exhibit 51** is a true and authentic copy of Plaintiff's Deposition Exhibit 64, "*Suspect's Odd Behavior Caused Growing Alarm*," an article published

by The New York Times on January 9, 2011, and produced in discovery by Plaintiff bearing Bates label PALIN 3588-3595.

54. Attached hereto as **Exhibit 52** is a true and authentic copy of Plaintiff's Deposition Exhibit 67, "*Looking Behind the Mug-Shot Grin*," an article published by The New York Times on January 15, 2011, and produced in discovery by Plaintiff bearing Bates label PALIN 3426-3438.

55. Attached hereto as **Exhibit 53** is a true and authentic copy of Plaintiff's Deposition Exhibit 69, "*'The Newsroom Feels Embarrassed': Backfires and Explosions at The New York Times As a Possible Future Chief Re-Invents The Paper's Opinion's Pages*," published by Vanity Fair HIVE on February 26, 2018, and produced in discovery by Plaintiff bearing Bates label PALIN 4655-4662.

56. Attached hereto as **Exhibit 54** is a true and authentic copy of Plaintiff's Deposition Exhibit 69(A), *NYTComms Tweet re. Bennet Statement on Quinn Norton* [2/14/2018].

57. Attached hereto as **Exhibit 55** is a true and authentic copy of "*Times Stands By Editorial Board Member After Outcry Over Old Tweets*," an article published by The New York Times on August 2, 2018.

58. Attached hereto as **Exhibit 56** is a true and authentic copy of Plaintiff's Deposition Exhibit 69(C), "*The Outrage Over Sarah Jeong*," an article published by The New York Times on August 9, 2018.

59. Attached hereto as **Exhibit 57** is a true and authentic copy of Plaintiff's Deposition Exhibit 69(D), "*Former NYT writer apologizes for 'inappropriate' Tweet criticizing Sarah Jeong*," an article published by The Washington Times on August 1, 2018.

60. Attached hereto as **Exhibit 58** is a true and authentic copy of Plaintiff's Deposition Exhibit 70, “*‘Criticize Our Work Privately’: NYT editorial page chief sends a 1,500-word treatise to colleagues*” an article published by The Washington Post on February 16, 2018, and produced in discovery by Plaintiff bearing Bates label PALIN 4670-4679.

61. Attached hereto as **Exhibit 59** is a true and authentic copy of Plaintiff's Deposition Exhibit 72, “*shootings in backfield, thanks*” Email from Williamson to Bennet/Semple/Fox/Clines [6/14/2017], and produced in discovery by Defendants bearing Bates stamp NYTIMES 1228.

62. Attached hereto as **Exhibit 60** is a true and authentic copy of Plaintiff's Deposition Exhibit 74, “*guns in Virginia*” Email from Lepping to Bennet/Williamson/Fox/Cohn [6/14/2017], and produced in discovery by Defendants bearing Bates stamp NYTIMES 1285.

63. Attached hereto as **Exhibit 61** is a true and authentic copy of Plaintiff's Deposition Exhibit 74(A), a page titled *Law Center to Prevent Gun Violence*.

64. Attached hereto as **Exhibit 62** is a true and authentic copy of Plaintiff's Deposition Exhibit 74(B), a page titled *Giffords Law Center to Prevent Gun Violence*.

65. Attached hereto as **Exhibit 63** is a true and authentic copy of Plaintiff's Deposition Exhibit 81, “*earlier version, w Linda's question*” email between Wegman/Williamson [6/15/2017], and produced in discovery by Defendants bearing Bates stamp NYTIMES 2116-2117.

66. Attached hereto as **Exhibit 64** is a true and authentic copy of Plaintiff's Deposition Exhibit 85, “*editorial and readers?*” Email string between Ingber/Bennet [6/15/2017], and produced in discovery by Defendants bearing Bates stamp NYTIMES 1956.

67. Attached hereto as **Exhibit 65** is a true and authentic copy of Plaintiff's Deposition Exhibit 86, "*editorial and readers?*" Email string between Ingber/Bennet/Evans/Higa [6/15/2017], and produced in discovery by Defendants bearing Bates stamp NYTIMES 2019-2021.

68. Attached hereto as **Exhibit 66** is a true and authentic copy of Plaintiff's Deposition Exhibit 87, "*editorial and readers?*" Email string between Ingber/Higa [6/15/2017], and produced in discovery by Defendants bearing Bates stamp NYTIMES 2022-2025.

69. Attached hereto as **Exhibit 67** is a true and authentic copy of Plaintiff's Deposition Exhibit 89, "*editorial and readers?*" Email string between Ingber/Bennet/Evans/Higa [6/15/2017], and produced in discovery by Defendants bearing Bates stamp NYTIMES 2042-2045.

70. Attached hereto as **Exhibit 68** is a true and authentic copy of Plaintiff's Deposition Exhibit 94, "*DRAFT—crop comm note*" Email String between Bevacqua/Rhoades Ha [6/16/2017], and produced in discovery by Defendants bearing Bates stamp NYTIMES 2798-2804.

71. Attached hereto as **Exhibit 69** is a true and authentic copy of Plaintiff's Deposition Exhibit 122, List of Jared Loughner Articles, The Atlantic.

72. Attached hereto as **Exhibit 70** is a true and authentic copy of Comments on "*America's Lethal Politics*," an article published by The New York Times on June 14, 2017.

73. Attached hereto as **Exhibit 71** is a true and authentic copy of an "*editorials INYT, Fri., June 16*" Email from Cohn to Levine/et.al. [6/14/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1342-1343.

74. Attached hereto as **Exhibit 72** is a true and authentic copy of Plaintiff's Deposition Exhibit 110, *America's Lethal Politics—**International Edition**—print edition* [6/16/2017], and produced in discovery by Defendants bearing Bates stamp NYTIMES 2913.

75. Attached hereto as **Exhibit 73** is a true and authentic copy of a "*CNN request for comment re: Times Editorial*" Email String between O. Darcy(CNN)/Rhoades Ha [6/15/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 2153-2157.

76. Attached hereto as **Exhibit 74** is a true and authentic copy of Plaintiff's Deposition Exhibit 123, "*Caldwell's Unfairness*," an article published by The Atlantic January 15, 2011, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4388-4391.

77. Attached hereto as **Exhibit 75** is a true and authentic copy of Plaintiff's Deposition Exhibit 127, "*My Sarah Palin Romance*," an article published by The New York Times on January 20, 2016.

78. Attached hereto as **Exhibit 76** is a true and authentic copy of "*Sarah Palin endorses Darryl Glenn in Colorado's U.S. Senate primary*," an article published by The Denver Post dated June 7, 2016, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4566-4570.

79. Attached hereto as **Exhibit 77** is a true and authentic copy of "*Arrest Made in Threat on Sen. Bennet's Office*," an article published by The Atlantic on January 10, 2011, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4381-4387.

80. Attached hereto as **Exhibit 78** is a true and authentic copy of "*A Smear?*," an article published by The Atlantic on August 31, 2008.

81. Attached hereto as **Exhibit 79** is a true and authentic copy of Plaintiff's Deposition Exhibit 142, "*Why Does Trigg Matter?*," an article published by The Atlantic on June 28, 2010, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4540-4549.

82. Attached hereto as **Exhibit 80** is a true and authentic copy of "*The bogus claim that a map of crosshairs by Sarah Palin's PAC incited Rep. Gabby Giffords's shooting*," an article published by The Washington Post on June 15, 2017, and can be found at <https://www.washingtonpost.com/news/fact-checker/wp/2017/06/15/the-bogus-claim-that-a-map-of-crosshairs-by-sarah-palins-pac-incited-rep-gabby-giffordss-shooting/>.

83. Attached hereto as **Exhibit 81** is a true and authentic copy of Plaintiff's Deposition Exhibit 146, "*An Assassination Attempt in Arizona: Live Blogging - Andrew Sullivan*," an article published by The Atlantic on January 8, 2011, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4359-4372.

84. Attached hereto as **Exhibit 82** is a true and authentic copy of Plaintiff's Deposition Exhibit 146(A), "*An Assassination?*," an article published by The Atlantic, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4351-4358.

85. Attached hereto as **Exhibit 83** is a true and authentic copy of Plaintiff's Deposition Exhibit 147, "*Was the Shooting of Rep. Gabrielle Giffords Political?*," an article published by The Atlantic on January 5, 2011, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4514-4521.

86. Attached hereto as **Exhibit 84** is a true and authentic copy of Plaintiff's Deposition Exhibit 148, "*Did Sarah Palin's Target Map Play Role in Giffords Shooting?*," an article published by The Atlantic on January 16, 2011, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4392-4399.

87. Attached hereto as **Exhibit 85** is a true and authentic copy of Plaintiff's Deposition Exhibit 149, "*What We Know About Jared Lee Loughner*," an article published by The Atlantic on January 10, 2011, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4530-4538.

88. Attached hereto as **Exhibit 86** is a true and authentic copy of Plaintiff's Deposition Exhibit 150, "*Stop the Blame Game*," an article published by The Atlantic on January 11, 2011, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4477-4485.

89. Attached hereto as **Exhibit 87** is a true and authentic copy of Plaintiff's Deposition Exhibit 151, "*The More We Know*," an article published by The Atlantic on January 17, 2011, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4498-4505.

90. Attached hereto as **Exhibit 88** is a true and authentic copy of Plaintiff's Deposition Exhibit 153, "*Ten Days That Defined 2011*," an article published by The Atlantic on December 29, 2011, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4486-4497.

91. Attached hereto as **Exhibit 89** is a true and authentic copy of "*The New York Times Has Abandoned Liberalism for Activism*," an article published by New Yorker Magazine on September 13, 2019.

92. Attached hereto as **Exhibit 90** is a true and authentic copy of "*Sarah Jeong and the N.Y. Times: When Racism is Fit to Print*," an article published by New York Magazine on August 3, 2018.

93. Attached hereto as **Exhibit 91** is a true and authentic copy of Plaintiff's Deposition Exhibit 159, "*Can the Bennet Brothers save the Establishment?*," an article published by The Washington Post on October 29, 2019.

94. Attached hereto as **Exhibit 92** is a true and authentic copy of "*The Day Trig Was Born*," an article published by The Daily Dish on June 31, 2011.

95. Attached hereto as **Exhibit 93** is a true and authentic copy of "*Q&A Transcript: James Bennet Talks about His Editorial Page With New York Times Staffers*," an article published by Huffington Post on February 21, 2018.

96. Attached hereto as **Exhibit 94** is a true and authentic copy of Plaintiff's Deposition Exhibit 162, *Daily Clip Report June 14* Email to James Bennet, and produced in discovery by Defendants bearing Bates stamps NYTIMES 3136-3198.

97. Attached hereto as **Exhibit 95** is a true and authentic copy of "*The real tragedy of Orlando*" Op-Ed proposal Bennet forwards to Dao [6/15/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 3201-3204.

98. Attached hereto as **Exhibit 96** is a true and authentic copy of Plaintiff's Deposition Exhibit 164, "*possible shooter id*" Email sent from Williamson to Fox [6/14/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1035.

99. Attached hereto as **Exhibit 97** is a true and authentic copy of Plaintiff's Deposition Exhibit 165, "*POSSIBLE shooter's POSSIBLE social media*" Email sent from Williamson to Bennet/Semple/Fox [6/14/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1036.

100. Attached hereto as **Exhibit 98** is a true and authentic copy of Plaintiff's Deposition Exhibit 172, "*hey*" Email from Bennet to Williamson [6/14/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 3239.

101. Attached hereto as **Exhibit 99** is a true and authentic copy of a "*Fox News Comment Request*" Email String between Bennet/Rhoades Ha [6/15/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1965-1967.

102. Attached hereto as **Exhibit 100** is a true and authentic copy of a "*question from Yahoo News*" Email between Stableford & Rhoades Ha [6/15/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 2151.

103. Attached hereto as **Exhibit 101** is a true and authentic copy of Plaintiff's Deposition Exhibit 180, *Text Exchange w James* Email from Williamson to self [6/16/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 3261.

104. Attached hereto as **Exhibit 102** is a true and authentic copy of Plaintiff's Deposition Exhibit 181, "*We Don't Have Proof Yet,*" an article published by The Wall Street Journal on January 10, 2011.

105. Attached hereto as **Exhibit 103** is a true and authentic copy of "*Assassination Attempt in Arizona,*" an article published by The New York Times on January 8, 2011.

106. Attached hereto as **Exhibit 104** is a true and authentic copy of "*Climate of Hate,*" an article published by The New York Times on January 9, 2011.

107. Attached hereto as **Exhibit 105** is a true and authentic copy of "*Massacre, followed by libel,*" an article published by The Washington Post on February 26, 2011.

108. Attached hereto as **Exhibit 106** is a true and authentic copy of Plaintiff's Deposition Exhibit 182, "*It Did Not*," an article published by The Wall Street Journal on January 13, 2011.

109. Attached hereto as **Exhibit 107** is a true and authentic copy of Plaintiff's Deposition Exhibit 183, "*Sarah Palin Is Right About 'Blood Libel,'*" an article published by The Wall Street Journal on January 14, 2011.

110. Attached hereto as **Exhibit 108** is a true and authentic copy of "*What Happened at the Shooting at a Congressional Baseball Practice*," an article published by The New York Times on June 14, 2017.

111. Attached hereto as **Exhibit 109** is a true and authentic copy of "*Sarah Palin's Breasts and Andrew Sullivan*," an article published by Commentary Magazine on February 8, 2010.

112. Attached hereto as **Exhibit 110** is a true and authentic copy of Plaintiff's Deposition Exhibit 189, "*ARS PAC Endorses Michael Bennet for United States Senate*," an article published by Americans for Responsible Solutions on August 24, 2016, and produced in discovery by Plaintiff bearing Bates stamps PALIN 45-46.

113. Attached hereto as **Exhibit 111** is a true and authentic copy of Plaintiff's Deposition Exhibit 190, "*Watch Colorado Se. Michael Bennet's Floor Speech on Guns*," an article published by The Colorado Independent on June 16, 2016, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4550-4554.

114. Attached hereto as **Exhibit 112** is a true and authentic copy of Plaintiff's Deposition Exhibit 191, "*James Bennet: The big ideas*," an article published by The Writer on March 15, 2016.

115. Attached hereto as **Exhibit 113** is a true and authentic copy of Plaintiff's Deposition Exhibit 192, "*The well-connected Bennet family*," an article published by Muckety on August 14, 2017.

116. Attached hereto as **Exhibit 114** is a true and authentic copy of Plaintiff's Deposition Exhibit 195, "*Technology Policing Violence*," an article published by C-SPAN on May 6, 2014, and produced in discovery by Plaintiff bearing Bates stamps PALIN 2415-2417.

117. Attached hereto as **Exhibit 115** is a true and authentic copy of "*Sarah Palin Endorses Donald Trump, Which Could Bolster Him in Iowa*," an article published by The New York Times on January 19, 2016.

118. Attached hereto as **Exhibit 116** is a true and authentic copy of Plaintiff's Deposition Exhibit 200, "*Trump Suggests 'Second Amendment People' Could Act Against Hillary Clinton*," an article published by The New York Times on August 9, 2016.

119. Attached hereto as **Exhibit 117** is a true and authentic copy of Plaintiff's Deposition Exhibit 201, "*For The New York Times, Trump is a sparring partner with benefits*," an article published by Columbia Journalism Review on June 29, 2017.

120. Attached hereto as **Exhibit 118** is a true and authentic copy of Plaintiff's Deposition Exhibit 201(A), "*To Our Readers, From the Publisher and Executive Editor*," an article published by The New York Times on November 13, 2016.

121. Attached hereto as **Exhibit 119** is a true and authentic copy of Plaintiff's Deposition Exhibit 205, "*New York Times requests apology from Fox on ISIS Story*," an article published by Politico on July 23, 2017, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4123-4127.

122. Attached hereto as **Exhibit 120** is a true and authentic copy of Plaintiff's Deposition Exhibit 206, "*Trump's Wink to 'Second Amendment People,'*" an article published by The New York Times on August 9, 2016.

123. Attached hereto as **Exhibit 121** is a true and authentic copy of Plaintiff's Deposition Exhibit 207, Bennet Boom Order/Reimbursement Request—"The Persecution of Sarah Palin" [12/17/2016], and produced in discovery by Defendants bearing Bates stamps JBENNET 10-20.

124. Attached hereto as **Exhibit 122** is a true and authentic copy of Plaintiff's Deposition Exhibit 208, *Enough Said* Excerpts emailed to Bennet/Baquet by Mark Thompson [6/15/2016], and produced in discovery by Defendants bearing Bates stamps NYTIMES 354-397.

125. Attached hereto as **Exhibit 123** is a true and authentic copy of Plaintiff's Deposition Exhibit 209, Bennet forwards Thompson email re. *Enough Said* to J. Dao [6/16/2016], and produced in discovery by Defendants bearing Bates stamps NYTIMES 398.

126. Attached hereto as **Exhibit 124** is a true and authentic copy of Plaintiff's Deposition Exhibit 210, Bennet email string with Williamson re. RNC Lineup [7/14/2016], and produced in discovery by Defendants bearing Bates stamps NYTIMES 442.

127. Attached hereto as **Exhibit 125** is a true and authentic copy of a Cohn Email String with Bennet re. "*Palin*" [7/15/2016], and produced in discovery by Defendants bearing Bates stamps NYTIMES 443.

128. Attached hereto as **Exhibit 126** is a true and authentic copy of Plaintiff's Deposition Exhibit 212, Williamson email string with Bennet/Cohn/Semple re. "*Pence*" [7/15/2016], and produced in discovery by Defendants bearing Bates stamps NYTIMES 444.

129. Attached hereto as **Exhibit 127** is a true and authentic copy of Plaintiff's Deposition Exhibit 213, NYT Daily Clip Report Email 7/18/2016—GOP Arena Highlights Trump's Blacklist, and produced in discovery by Defendants bearing Bates stamps NYTIMES 445.

130. Attached hereto as **Exhibit 128** is a true and authentic copy of "*The Opinionator*," a publication by The Baffler [December 2017].

131. Attached hereto as **Exhibit 129** is a true and authentic copy of Plaintiff's Deposition Exhibit 216, "*House Democrats unveil top 2020 targets*," an article published by CNN dated January 28, 2019.

132. Attached hereto as **Exhibit 130** is a true and authentic copy of Plaintiff's Deposition Exhibit 216(A), "*Democrats Go on Offense – DCCC Chairwoman Cheri Bustos Announces Initial 2020 Offensive Battlefield*," a press release by the DCCC dated January 28, 2019.

133. Attached hereto as **Exhibit 131** is a true and authentic copy of Plaintiff's Deposition Exhibit 217, "*Heartland Strategy: Democrats can't be a national party if they cede all of red America to the GOP. They must compete in the heartland. Here's how they can do it*," an article published by DLC | Blueprint Magazine on December 13, 2004.

134. Attached hereto as **Exhibit 132** is a true and authentic copy of Plaintiff's Deposition Exhibit 218, "*New Colleague to Stir Things Up*" Tweet by James Bennet dated April 5, 2017.

135. Attached hereto as **Exhibit 133** is a true and authentic copy of Plaintiff's Deposition Exhibit 220, "*Sarah Palin's & Democrats' Maps With Crosshairs, Targets, Bullseyes*," an article published by *Fact Real* on January 11, 2011.

136. Attached hereto as **Exhibit 134** is a true and authentic copy of Plaintiff's Deposition Exhibit 222, *DCCC Frontline Members Breakfast Flyer* [7/9/2009].

137. Attached hereto as **Exhibit 135** is a true and authentic copy of Plaintiff's Deposition Exhibit 223, "*Exclusive – Sarah Palin Condemns 'Sick Audacity' of Kathy Griffin's Trump Beheading Photo*," an article published by Breitbart on May 30, 2017, and produced in discovery by Plaintiff bearing Bates stamps PALIN 5348-5350.

138. Attached hereto as **Exhibit 136** is a true and authentic copy of Plaintiff's Deposition Exhibit 226, *5 Best Columns from the Atlantic Wire* dated November 28, 2011, and produced in discovery bearing Bates stamp ATLANTIC 2644.

139. Attached hereto as **Exhibit 137** is a true and authentic copy of Plaintiff's Deposition Exhibit 228, *MPA Daily News Roundup 9.5.11*, and produced in discovery bearing Bates stamps ATLANTIC 2595-2598.

140. Attached hereto as **Exhibit 138** is a true and authentic copy of Plaintiff's Deposition Exhibit 230, *Something About Tucson the I Haven't Said Email & Attachment* [1/14/2011], and produced in discovery bearing Bates stamps ATLANTIC 832-836.

141. Attached hereto as **Exhibit 139** is a true and authentic copy of Plaintiff's Deposition Exhibit 230(A), "*How the Media Botched the Arizona Shooting*," an article published by The New Republic on January 14, 2011 (hyper-linked in Plaintiff's Deposition Exhibit 230).

142. Attached hereto as **Exhibit 140** is a true and authentic copy of a "*Question from Business Insider*" Email String between Rhoades Ha/Max Tani [6/15/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1980.

143. Attached hereto as **Exhibit 141** is a true and authentic copy of a *NYT Editorial* Email String Between Rhoades Ha & Sara Fisher (Axios) [6/15/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1981-1982.

144. Attached hereto as **Exhibit 142** is a true and authentic copy of a *CNN Request for Comment re. Times Editorial* Email String Between Rhoades Ha/E. Murphy/Oliver Darcy [6/15/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 1986-1987.

145. Attached hereto as **Exhibit 143** is a true and authentic copy of a *WaPo question on Loughner claim* Email String between Bennet and Paul Farhi [6/15/2017], and produced in discovery by Defendants bearing Bates stamp NYTIMES 2009.

146. Attached hereto as **Exhibit 144** is a true and authentic copy of a *CNN Request for Comment re. Times Editorial* Email String Between Rhoades Ha/Oliver Darcy [6/15/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 2171-2173.

147. Attached hereto as **Exhibit 145** is a true and authentic copy of a *CNN Request for Comment re. Times Editorial* Email String Between Rhoades Ha/Oliver Darcy [6/15/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 2248-2250.

148. Attached hereto as **Exhibit 146** is a true and authentic copy of a *Politifact Media Inquiry re. America's Lethal Politics* Email String [6/15/2017], and produced in discovery by Defendants bearing Bates stamps NYTIMES 2254-2257.

149. Attached hereto as **Exhibit 147** is a true and authentic copy of Plaintiff's Deposition Exhibit 249, *NYT/Trump Twitter Exchange* dated November 13, 2016.

150. Attached hereto as **Exhibit 148** is a true and authentic copy of *How 'Fake News' Changed The New York Times—The Wilson Quarterly* [Winter 2018].

151. Attached hereto as **Exhibit 149** is a true and authentic copy of CNN Reliable Sources – Transcripts (Air Date: February 26, 2017).

152. Attached hereto as **Exhibit 150** is a true and authentic copy of “*The Truth Is Hard,’ Says The New York Times’ First-Ever Oscars Ad,*” an article published by Advertising Age on February 23, 2017, and produced in discovery by Plaintiff bearing Bates stamps PALIN 20-30.

153. Attached hereto as **Exhibit 151** is a true and authentic copy of *NYT Truth Advertisements*, and produced in discovery by Plaintiff bearing Bates stamps PALIN 3646-3654.

154. Attached hereto as **Exhibit 152** is a true and authentic copy of *The Truth—NYTStore—Truth Merchandise*, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4074-4076.

155. Attached hereto as **Exhibit 153** is a true and authentic copy of “*The Public Editor Signs Off,*” an article published by The New York Times on June 2, 2017.

156. Attached hereto as **Exhibit 154** is a true and authentic copy of “*NYT’s New ‘Reader Center’ Already Proving a Step Backward in Accountability,*” an article published by FAIR on June 23, 2017.

157. Attached hereto as **Exhibit 155** is a true and authentic copy of “*Reader Center: Covering Studies That Were Not Peer Reviewed,*” an article published by The New York Times on June 22, 2017.

158. Attached hereto as **Exhibit 156** is a true and authentic copy of Plaintiff’s Deposition Exhibit 259, *A Note from James Bennet* e-mail to NYT employees [2/15/2018], and produced in discovery by Defendants bearing Bates stamps NYTIMES 2855-2856.

159. Attached hereto as **Exhibit 157** is a true and authentic copy of “*How the New York Times Maintains its Credibility*,” an article published by Quill on December 15, 2018.

160. Attached hereto as **Exhibit 158** is a true and authentic copy a Tweet posted by James Bennet dated February 26, 2017, and which can be found at <https://twitter.com/JBennet/status/836072914826952704>.

161. Attached hereto as **Exhibit 159** is a true and authentic copy of The New York Times Company 2019 Annual Report.

162. Attached hereto as **Exhibit 160** is a true and authentic copy of excerpts from *The New York Times Manual of Style & Usage*.

163. Attached hereto as **Exhibit 161** is a true and authentic copy of Plaintiff’s Deposition Exhibit 285, *Gun Control : Changing Perspectives*, a publication of The York Times (2019).

164. Attached hereto as **Exhibit 162** is a true and authentic copy of Plaintiff’s Deposition Exhibit 286, “*The Corrosive Politics That Threaten L.G.T.B. Americans*,” an article published by The New York Times on June 15, 2016.

165. Attached hereto as **Exhibit 163** is a true and authentic copy of “*How the Trolls Stole Washington*,” an article published by The New York Times on February 28, 2017.

166. Attached hereto as **Exhibit 164** is a true and authentic copy of *Williamson/Bennet 6/15/2017 Text Exchange (screen shots)*, and produced in discovery by Defendants bearing Bates stamps JBENNET 39.

167. Attached hereto as **Exhibit 165** is a true and authentic copy of Plaintiff’s Deposition Exhibit 293, “*The New York Times is trying to narrow the distance between reporters and analytics data*,” an article published by Nieman Lab dated July 25, 2016.

168. Attached hereto as **Exhibit 166** is a true and authentic copy of *Innovation Report*, a publication of The New York Times dated March 24, 2014.

169. Attached hereto as **Exhibit 167** is a true and authentic copy of Plaintiff's Deposition Exhibit 301, *The New York Times Homepage Preservation* [6/15/2017].

170. Attached hereto as **Exhibit 168** is a true and authentic copy of "*How the NYT's AI-driven data insight tool is informing ad campaigns*," an article published by FIPP dated January 10, 2019.

171. Attached hereto as **Exhibit 169** is a true and authentic copy of "*The New York Times Advertising & Marketing Solutions Group Introduces 'nytDEMO' : A Cross-Functional Team Focused on Bringing Insights and Data Solutions to Brands*," an article published by Business Wire dated February 15, 2018.

172. Attached hereto as **Exhibit 170** is a true and authentic copy of Exhibit A to the Deposition of Phoebe Lett dated May 4, 2020, *LinkedIn* profile of Phoebe Lett.

173. Attached hereto as **Exhibit 171** is a true and authentic copy of Exhibit D to the Deposition of Hanna Ingber dated May 6, 2020, "*Mom" For Vice President!* ," an article published by Huffington Post dated May 29, 2008.

174. Attached hereto as **Exhibit 172** is a true and authentic copy of Defendants' Deposition Exhibit 16, "Don't get Demoralized! Get organized! Take Back the 20! ," a Facebook post by Sarah Palin.

175. Attached hereto as **Exhibit 173** is a true and authentic copy of the transcript of the hearing held before Hon. Jed S. Rakoff on July 31, 2017.

176. Attached hereto as **Exhibit 174** is a true and authentic copy of a Williamson/Semple/Bennet/Fox e-mail – “are we writing on the congressional shooting?” [6/14/17], and produced in discovery by Defendants bearing Bates stamp NYTIMES 1034.

177. Attached hereto as **Exhibit 175** is a true and authentic copy of documents bates labeled PALIN 4571-4577, “*Rival Colorado Democrats pay game of one-upmanship*,” an article published by The Denver Post dated September 12, 2009, and produced in discovery by Plaintiff bearing Bates stamps PALIN 4571-4577.

178. Attached hereto as **Exhibit 176** is a true and authentic copy of an article entitled “*Rep. Giffords’ Tucson office vandalized after health care vote*,” published on Tucson.com dated March 22, 2010, and which can be found at https://tucson.com/news/local/crime/rep-giffords-tucson-office-vandalized-after-health-care-vote/article_eb24e4fe-35dc-11df-ad88-001cc4c03286.html.

179. Attached hereto as **Exhibit 177** is a true and authentic copy of an article entitled “*Vandalism reported at offices of three Democrats*,” published by CNN dated March 22, 2010, and found at <https://www.cnn.com/2010/POLITICS/03/22/pols.dems.vandalized/index.html>.

180. Attached hereto as **Exhibit 178** is a true and authentic copy of an article entitled “*Vandals Attack Dem Offices Nationwide*,” published by Talking Points Memo dated March 23, 2010, and which can be found at <https://talkingpointsmemo.com/muckraker/vandals-attack-dem-offices-nationwide>.

181. Attached hereto as **Exhibit 179** is a true and authentic copy of an article entitled “*Michael Brian Vanderboegh*,” published by Southern Poverty Law Center, and which can be found at <https://www.splcenter.org/fighting-hate/extremist-files/individual/Michael-brian-vanderboegh-0>.

182. Attached hereto as **Exhibit 180** is a true and authentic copy of an article entitled “*To all modern sons of Liberty: THIS is your time. Break their windows. Break them NOW,*” published by Sipsey Street Irregulars dated March 19, 2010, and which can be found at www.sipseystreetirregulars.blogspot.com/2010/03/to-all-modern-sons-of-liberty-this-is.html.

183. Attached hereto as **Exhibit 181** is a true and authentic copy of an article entitled “*Giffords’s Office Was Vandalized by Followers of Former Militia Leader,*” published by Mother Jones dated January 8, 2011, and which can be found at <https://www.motherjones.com/crime-justice/2011/01/giffordss-office-was-vandalized-followers-former-militia-leader/>.

184. Attached hereto as **Exhibit 182** is a true and authentic copy of a page entitled “*Newspaper of record,*” which can be found at https://en.wikipedia.org/wiki/Newspaper_of_record.

185. Attached hereto as **Exhibit 183** is a true and authentic copy of a page entitled “*The New York Times,*” which can be found at <https://www.britannica.com/topic/The-New-York-Times>.

186. Attached hereto as **Exhibit 184** is a true and authentic copy of a page entitled “*Encyclopedia Britannica,*” which can be found at https://en.wikipedia.org/wiki/Encyclop%C3%A6dia_Britannica.

187. Attached hereto as **Exhibit 185** is a true and authentic copy of a page entitled “*New York Times (Online News),*” which can be found at <https://www.allsides.com/news-source/new-york-times>.

188. Attached hereto as **Exhibit 186** is a true and authentic copy of a page entitled “*New York Times - Opinion*,” which can be found at <https://www.allsides.com/news-source/new-york-times-opinion-media-bias>.

189. Attached hereto as **Exhibit 187** is a true and authentic copy of an article entitled “*Why Readers See The Times as Liberal*,” published by The New York Times dated July 23, 2016, and which can be found at <https://www.nytimes.com/2016/07/24/public-editor/liz-spayd-the-new-york-times-public-editor.html>.

190. Attached hereto as **Exhibit 188** is a true and authentic copy of an article entitled “*End the Gun Epidemic in America*,” published by The New York Times dated December 4, 2015, which can be found at <https://www.nytimes.com/2015/12/05/opinion/end-the-gun-epidemic-in-america.html>.

191. Attached hereto as **Exhibit 189** is a true and authentic copy of an article entitled “*Conservatives take shots at New York Times gun control editorial*,” published by CNN dated December 7, 2015, and which can be found at <https://money.cnn.com/2015/12/07/media/erick-erickson-new-york-times-gun-control-editorial/>.

192. Attached hereto as **Exhibit 190** is a true and authentic copy of an article entitled “*The New York Times ‘Truth’ Campaign Drives Digital Subscriptions*,” published by Medium dated September 20, 2018, and which can be found at <https://medium.com/ama-marketing-news/the-new-york-times-truth-campaign-drives-digital-subscriptions-3c1fcd2cc4e9>.

193. Attached hereto as **Exhibit 191** is a true and authentic copy of an article entitled “*Douglas Bennet, Who Led NPR and Wesleyan, Dies at 79*,” published by The New York Times dated June 13, 2018, and found at <https://www.nytimes.com/2018/06/13/obituaries/douglas-bennet-who-led-npr-and-wesleyan-dies-at-79.html>.

194. Attached hereto as **Exhibit 192** is a true and authentic copy of an article entitled “*Expectations: Can the students who became a symbol of failed reform be rescued?*,” published by New Yorker Magazine dated January 8, 2007, which can be found at <https://www.newyorker.com/magazine/2007/01/15/expectations>.

195. Attached hereto as **Exhibit 193** is a true and authentic copy of a page entitled “*Biography*” regarding Michael Bennet, which can be found at <https://web.archive.org/web/20081022084212/http://communications.dpsk12.org/newsroom/353/224/>.

196. Attached hereto as **Exhibit 194** is a true and authentic copy of an article entitled “*Bennet’s tale steeped in family roots*,” published by Rocky Mountain News dated January 24, 2009, and which can be found at <https://web.archive.org/web/20090301050159/http://www.rockymountainnews.com/news/2009/jan/24/american-tale/>.

197. Attached hereto as **Exhibit 195** is a true and authentic copy of “*Press Release – Michael Bennet Named to U.S. Senate*,” published by Bill Ritter, Colorado’s Governor, dated January 3, 2009, and which can be found at <https://web.archive.org/web/20090131134816/http://www.colorado.gov/cs/Satellite?c=Page&cid=1230985756099&pagename=GovRitter%2FGOVRLayout>.

198. Attached hereto as **Exhibit 196** is a true and authentic copy of an article entitled “*So What Do you Do James Bennet, Editor of The Atlantic*,” published by Media Bistro on March 19, 2008, and which can be found at <https://web.archive.org/web/20121102134858/http://www.mediabistro.com/So-What-Do-You-Do-James-Bennet-Editor-of-The-Atlantic-a10106.html>.

199. Attached hereto as **Exhibit 197** is a true and authentic copy of an article entitled “*America Is Fracturing – and So Is ‘The New York Times’*,” published by The Nation dated June 8, 2020, and which can be found at <https://www.thenation.com/article/society/racism-new-york-times/>.

200. Attached hereto as **Exhibit 198** is a true and authentic copy of an article entitled “*Opinion: Trolling is Not Opinion*,” published by The Outline dated August 30, 2017, and which can be found at <https://theoutline.com/post/2196/the-nyt-opinion-section-is-bad?zd=1&zi=empkmiqh>.

201. Attached hereto as **Exhibit 199** is a true and authentic copy of an article entitled “*How Bret Stephens and Bari Weiss have taken the NY Times’ campus concern trolling to new heights in just 2 years*,” published by Media Matters for America dated June 4, 2019, and which can be found at <https://www.mediamatters.org/new-york-times/how-bret-stephens-and-bari-weiss-have-taken-ny-times-campus-concern-trolling-new>.

202. Attached hereto as **Exhibit 200** is a true and authentic copy of an article entitled “*Why are Newsweek and The New York Times using troll tactics for clicks?*,” published by The Outline dated November 29, 2017, which can be found at <https://theoutline.com/post/2528/why-are-newsweek-and-the-new-york-times-using-troll-tactics-for-clicks?zd=2&zi=dodamsuj>.

203. Attached hereto as **Exhibit 201** is a true and authentic copy of an article entitled “*New York Times Promises Truth and Diversity, Then Hires Climate-Denying Anti-Arab White Guy*,” published by The Intercept dated April 14, 2017, and which can be found at <https://theintercept.com/2017/04/14/new-york-times-promises-truth-and-diversity-then-hires-climate-denying-anti-arab-white-guy/>.

204. Attached hereto as **Exhibit 202** is a true and authentic copy of an article entitled “*New York Times writer fired just hours after being hired*,” published by The New York Post dated February 14, 2018, and which can be found at <https://nypost.com/2018/02/14/new-york-times-writer-fired-just-hours-after-being-hired/>.

205. Attached hereto as **Exhibit 203** is a true and authentic copy of an article entitled “*Newest Member of NYT Editorial Board Has History of Racist Tweets*,” published by National Review dated August 2, 2018, and which can be found at <https://www.nationalreview.com/news/sarah-jeong-new-york-times-hires-writer-racist-past/>.

206. Attached hereto as **Exhibit 204** is a true and authentic copy of an article entitled “*Palin to attend Western Conservative Summit*,” published by Durango Herald dated June 22, 2016, and which can be found at <https://durangoherald.com/articles/106056>.

207. Attached hereto as **Exhibit 205** is a true and authentic copy of an article entitled “*CNN Fires Kathy Griffin From New Year’s Eve Broadcast Over Trump Photo*,” published by The New York Times dated May 31, 2017, and which can be found at <https://www.nytimes.com/2017/05/31/arts/trump-kathy-griffin.html>.

208. Attached hereto as **Composite Exhibit 206** is a true and authentic copy of an article entitled “*How Outrage Built Over a Shakespearean Depiction of Trump*,” published by The New York Times dated June 12, 2017, which can be found at <https://www.nytimes.com/2017/06/12/theater/donald-trump-julius-caesar-public-theater-oskar-eustis.html>; and an article entitled “*Et Tu, Delta? Shakespeare in the Park Sponsors Withdraw from Trump-Like ‘Julius Ceasar’*,” published by The New York Times dated June 11, 2017, which can be found at <https://www.nytimes.com/2017/06/11/arts/delta-airline-trump-public-theater-julius-caesar.html>.

209. Attached hereto as **Exhibit 207** is a true and authentic copy of Form 10-Q Quarterly Report for quarterly period ending March 26, 2017, and Form 10-Q Quarterly Report for quarterly period ending June 25, 2017, both of which can be found at <https://investors.nytco.com/investors/financials/quarterly-earnings/default.aspx>.

210. Attached hereto as **Composite Exhibit 208** is a true and authentic copy of Plaintiff's Deposition Exhibits 196 and 196(A), James Devine Tweet dated June 17, 2017, and produced in discovery by Plaintiff bearing Bates stamps PALIN 2513-2518.

211. Attached hereto as **Exhibit 209** is a true and authentic copy of The New York Times Editorial Board Page published by The New York Times on June 15, 2017, and which can be found at <https://web.archive.org/web/20170615094453/http://www.nytimes.com/interactive/opinion/editorialboard.html>.

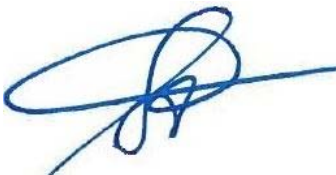
212. Attached hereto as **Exhibit 210** is a true and authentic copy of Plaintiff's Deposition Exhibit 32(L), "*Scoop Edits to the Editorial*," and produced in discovery by Defendants bearing Bates stamps NYTIMES 229-289.

213. Attached hereto as **Exhibit 211** is a true and authentic copy of "*What Donald Trump Gets Wrong About Orlando*," an article published by The New York Times on June 13, 2016, and which can be found at <https://www.nytimes.com/2016/06/14/opinion/what-donald-trump-gets-wrong-about-orlando.html>.

I HAVE READ EVERY STATEMENT MADE IN THIS DECLARATION AND DECLARE UNDER PENALTY OF PERJURY THAT EACH STATEMENT IS TRUE AND CORRECT.

July 10, 2020

Date



SHANE VOGT